

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Philip von Kahle in his capacity as assignee
for the benefit of the creditors of Coex
Coffee International, Inc.,

Plaintiff,

-against-

Cargill, Inc.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 06/07/2023

1:21-cv-08532 (AT) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Following a telephone conference with the parties and BDO USA LLP (“BDO”) today, and for the reasons stated on the record, it is hereby ORDERED, as follows:

1. BDO shall produce the 6,664 documents at issue (9/2/22 Joint Ltr., ECF No. 111; 6/5/23 Joint Ltr., ECF No. 151), unless both the parties and BDO mutually agree to a lesser production.
2. With respect to the production of the 3,272 documents that do not contain @coexgroup.com, or such lesser number of documents as to which the parties and BDO mutually agree,¹ Plaintiff and Defendant jointly shall reimburse BDO for the reasonable costs incurred after the date of this Order for production of such documents.
3. The parties and BDO shall meet and confer regarding the portions of BDO’s audit work papers that shall be produced. If the parties and BDO are unable to agree,

¹ As discussed during the telephone conference, the parties are encouraged to meet and confer with BDO to make the size of the production smaller.

then no later than June 21, 2023, they shall file a joint letter (not to exceed six pages) setting forth their respective positions.

The Clerk of Court is respectfully requested to terminate the gavel at ECF No. 111.

SO ORDERED.

Dated: New York, New York
 June 7, 2023



STEWART D. AARON
United States Magistrate Judge